



**U.S. Army Contracting Command**



# **Women-Owned Small Business (WOSB) Federal Contract Program Presentation**

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## Overview of WOSB Federal Contract Program

It authorizes contracting officers to **set aside certain federal contracts** for eligible:

- Women-owned small businesses (WOSBs) or
  - Economically disadvantaged women-owned small businesses (EDWOSBs)
- Warning

### *Impact of this program*

- **Levels the playing field for WOSBs** to compete for and win federal contracts
- Provides a tool to help us **meet our WOSB contracting goal**
- Ultimately, the program helps **create and retain more jobs for WOSBs**



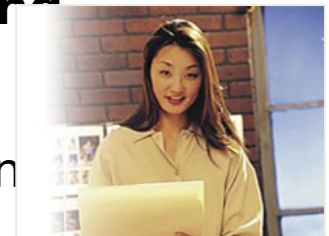
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### Eligibility Requirements for WOSBs

- ☐ Meet **small business size standard** for primary NAICS code and contract
- ☐ At least **51% unconditionally and directly owned by women** who are **U.S. citizens\***
- ☐ The woman must manage the **day-to-day operations**
- ☐ The woman must make the **long-term decisions** for the business
- ☐ A woman must **hold highest officer position**
- ☐ The woman must work at the business **full-time during normal working hours**
- ☐ **No minimum amount of time** the business has been operational







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# Eligibility Requirements for EDWOSBs

Same requirements as WOSBs PLUS:

- ☐ **Personal net worth** (assets minus liabilities) **is less than \$750,000** excluding:
  - Ownership in business and primary personal residence
  - Income reinvested or used to pay taxes of business
  - Funds reinvested in IRA or other retirement account\*
  - Transferred assets within two years if to or on behalf of immediate family member for select purposes\*\*
- ☐ **Adjusted gross income average over three years is \$350,000 or less** excluding:
  - Income reinvested or used to pay taxes of business
- ☐ **Fair market value of assets is \$6 million or less** excluding:
  - Funds reinvested in IRA or other official retirement account

\* Must be IRA or other official retirement account that is unavailable until retirement age without

**Note: SBA will look at a spouse's finances if the spouse has a role in the WOSB/EDWOSB, has lent money to or provided financial support (including credit or guarantee of loan) to the business. SBA may also look at spouse's finances if both spouses are in same or similar line of business and businesses share names, websites, equipment and employees.**

**\*\* Select purposes are for that individual's education, medical expenses or other essential support or to family member in recognition of special event**



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### Requirement for Joint Ventures

A WOSB/EDWOSB may submit an offer as a joint venture with another small business if the following requirements are met:

- ☐ **Size:** Combined annual receipts or employees of joint venture must meet NAICS code assigned to contract
- ☐ EDWOSB/WOSB must be **managing partner**
- ☐ EDWOSB/WOSB employee must be **project manager** responsible for performance of the contract
- ☐ EDWOSB/WOSB must receive **at least 51% of net profits**
- ☐ The joint venture **agreement must be in writing**
- ☐ Joint venture must meet **subcontracting limitations**

**Note: Joint venture agreement does not have to be approved by SBA**



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## The North American Industry Classification System (NAICS)

- ☐ A NAICS code is a six-digit number assigned by the government to various distinct business industries.
- ☐ Purpose is to promote uniformity and comparability in the presentation of statistical data collected by various agencies by the United States government.
- ☐ Developed under guidance of Office of Management and Budget.
- ☐ Groups similar type industries according to output and annual sales.
- ☐ Federal procurements supplies, services , and construction are identified and solicited by assigned NAICS code.



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# Requirements for WOSB and EDWOSB Set Asides

(S/A) may set aside contracts for WOSBs and EDWOSBs if they meet the following requirements:

	WOSB Set Aside	EDWOSB Set Aside
Industries	<ul style="list-style-type: none"><li>• NAICS code assigned to solicitation is in an industry in which WOSBs are <b>substantially underrepresented</b><ul style="list-style-type: none"><li>• 38 4-digit NAICS designated (157 6-digit NAICS)</li></ul></li></ul>	<ul style="list-style-type: none"><li>• NAICS code assigned to solicitation is in an industry in which WOSBs are <b>underrepresented</b><ul style="list-style-type: none"><li>• 45 4-digit NAICS designated (373 6-digit NAICS)</li></ul></li></ul>
Rule of two	<ul style="list-style-type: none"><li>• Contracting officer has reasonable expectation that <b>2 or more WOSBs will submit an offer</b></li></ul> <p>* <i>Note: All EDWOSBs are WOSBs</i></p>	<ul style="list-style-type: none"><li>• Contracting officer has reasonable expectation that <b>2 or more EDWOSBs will submit an offer</b></li></ul> <p>* <i>Note: Not all WOSBs are EDWOSBs</i></p>
Award price	<ul style="list-style-type: none"><li>• Anticipated award price <u>including options</u> does not exceed the statutory thresholds of <b>\$6.5M for manufacturing or \$4M for other contracts</b> (different from sole source thresholds for SDVOSB and HUBZone)</li><li>• <b>If proposals comes in higher than above thresholds, award can still be made if anticipated award price (including options) was within the statutory thresholds</b></li><li>• Contract can be awarded at <b>fair market price</b></li></ul>	



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# Substantially Underrepresented NAICS for WOSB SA

1. 2372 - Land Subdivision
2. 3152 - Cut and Sew Apparel Manufacturing
3. 3231 - Printing and Related Support Activities
4. 3259 - Other Chemical Product and Preparation Manufacturing
5. 3328 - Coating, Engraving, Heat Treating and Allied Activities
6. 3329 - Other Fabricated Metal Product Manufacturing
7. 3371 - Household and Institutional Furniture and Kitchen Cabinet Manufacturing
8. 3372 - Office Furniture (including Fixtures) Manufacturing
9. 3391 - Medical Equipment and Supplies Manufacturing
10. 4841 - General Freight Trucking
11. 4889 - Other Support Activities for Transportation
12. 4931 - Warehousing and Storage
13. 5111 - Newspaper, Periodical, Book, and Directory Publishers
14. 5112 - Software Publishers
15. 5171 - Wired Telecommunications Carriers
16. 5172 - Wireless Telecommunications Carriers (except Satellite)
17. 5179 - Other Telecommunications
18. 5192 - Data Processing, Hosting, and Related Activities
21. 5324 - Commercial and Industrial Machinery and Equipment Rental and Leasing
22. 5411 - Legal Services
23. 5412 - Accounting, Tax Preparation, Bookkeeping and Payroll Services
24. 5417 - Scientific Research and Development Services
25. 5418 - Advertising, Public Relations, and Related Services
26. 5615 - Travel Arrangement and Reservation Services
27. 5619 - Other Support Services
28. 5621 - Waste Collection
29. 5622 - Waste Treatment and Disposal
30. 6114 - Business Schools and Computer and Management Training
31. 6115 - Technical and Trade Schools
32. 6117 - Educational Support Services
33. 6242 - Community Food and Housing and Emergency and Other Relief Services
34. 6243 - Vocational Rehabilitation Services
35. 7211 - Traveler Accommodation
36. 8112 - Food and Beverage Services





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# Underrepresented NAICS for EDWOSB SA

1. 2213 - Water, Sewage and Other Systems
2. 2361 - Residential Building Construction
3. 2371 - Utility System Construction
4. 2381 - Foundation, Structure and Building Exterior Contractors
5. 2382 - Building Equipment Contractors
6. 2383 - Building Finishing Contractors
7. 2389 - Other Specialty Trade Contractors
8. 3149 - Other Textile Product Mills
9. 3159 - Apparel Accessories and Other Apparel Manufacturing
10. 3219 - Other Wood Product Manufacturing
11. 3222 - Converted Paper Product Manufacturing
12. 3321 - Forging and Stamping
13. 3323 - Architectural and Structural Metals Manufacturing
14. 3324 - Boiler, Tank and Shipping Container Manufacturing
15. 3333 - Commercial and Service Industry Machinery Manufacturing
16. 3342 - Communications Equipment Manufacturing
17. 3345 - Navigational, Measuring, Electromedical and Control Instruments
18. 3346 - Manufacturing and Reproducing Magnetic and Optical Media
19. 3353 - Electrical Equipment Manufacturing
20. 3359 - Other Electrical Equipment and Component Manufacturing
21. 3369 - Other Transportation Equipment Manufacturing
23. 4881 - Support Activities for Air Transportation
24. 4884 - Support Activities for Road Transportation
25. 4885 - Freight Transportation Arrangement
26. 5121 - Motion Picture and Video Industries
27. 5311 - Lessors of Real Estate
28. 5413 - Architectural, Engineering and Related Services
29. 5414 - Specialized Design Services
30. 5415 - Computer Systems Design and Related Services
31. 5416 - Management, Scientific and Technical Consulting Services
32. 5419 - Other Professional, Scientific and Technical Services
33. 5611 - Office Administrative Services
34. 5612 - Facilities Support Services
35. 5614 - Business Support Services
36. 5616 - Investigation and Security Services
37. 5617 - Services to Buildings and Dwellings
38. 6116 - Other Schools and Instruction
39. 6214 - Outpatient Care Centers
40. 6219 - Other Ambulatory Health Care Services
41. 7115 - Independent Artists, Writers, and Performers
42. 7223 - Special Food Services
43. 8111 - Automotive Repair and Maintenance
44. 8113 - Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance
45. 8114 - Personal and Household Goods



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### **WOSB Program Certification**

There are two ways to certify for the WOSB program :

**Self certification** with supporting documents, or

#### **Third Party Certification**

With supporting documents

WOSB or EDWOSB forms required to be notarized.

#### Self Certification



- Free, no cost
- Register in CCR as WOSB or EDWOSB
- Compile and upload all required documents to the repository
- Represent status in ORCA

#### Third Party Certification

Register in CCR as WOSB or EDWOSB

- Obtain certification from an SBA-approved Third Party Certifier
- SBA has four organization designated
- Compile and upload all required documents to the repository
- Represent status in ORCA



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# Documents to Upload to the WOSB Program Repository?

### What is the WOSB Program Repository?

- SBA created a secure document warehouse to upload required documents
- Access to WOSB's documents is only available to:
  - WOSB that submitted documents
  - SBA
  - Contracting Officer and/or Contract Specialist if given permission by the WOSB

### Self Certification

Birth certificates, naturalization papers, unexpired passports to verify U.S. citizenship  
Copy of JV agreement (if applicable)  
Copy of OMB's WOSB/EDWOSB Certification form  
"Doing Business As" (DBA) certificate  
Corporate information relating to verifying ownership by a woman or women; etc.  
EDWOSBs: All of above and SBA Form 413, Personal Financial



### Third Party Certification

Copy of Third Party Certification from an SBA Approved Third Party Certifier  
Copy of JV agreement (if applicable)  
Copy of OMB's WOSB/EDWOSB



## Reviews and Protests

### Eligibility Examinations

- SBA may investigate the accuracy of any certification or representation made
- SBA will conduct regular reviews of firms who have self-certified and obtained third party certification
- A review will involve evaluation of documents uploaded in the repository and SBA may request additional documents and perform a site visit

### Protests

SBA may investigate the accuracy of any certification or representation made as it relates to a specific WOSB/EDWOSB set aside

Only an interested party, SBA or a contracting officer may submit a protest

A protest must be submitted to the contracting officer within certain timeframe Can only protest the ownership, control and economic disadvantage requirements

Size protests are handled under 13 C.F.R. part 121

SBA reviews each protest and make

Any WOSB/EDWOSB in non-compliant must remove their designation in CCR and ORCA and contracting office shall not award them a contract





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### Additional Information About WOSB Program

- **The same subcontracting limitations that** apply for small business set asides apply for the WOSB program
- By statute, the WOSB program **does not authorize sole source** awards





## ***Parity and WOSB Program***

### **Procurements valued from \$3,000 to \$150,000**

#1 Automatically reserved for SB set-aside.

However, Contracting Officer **may use HUBZone or 8(a) or SDVOSB or WOSB/EDWOSB programs**

#2 Full and open competition (unrestricted; not set aside for one of the five major small business prime contracting programs)

### **Procurements valued over \$150,000**

#1 Contracting Officer **shall first consider HUBZone or 8(a) or SDVOSB or WOSB/EDWOSB programs**

#2 Small business set aside

#3 Full and open competition (unrestricted; not set aside for one of the five major small business prime contracting programs)

# Examples of How the Program Works

## Example 1

- The requirement is assigned NAICS 721110, Hotel (except Casino Hotels) and Motels, and has an estimated value of \$5M.
  - NAICS 7211, Traveler Accommodation, is an industry in which WOSBs are substantially underrepresented.
  - Dollar value of the procurement is greater than statutory threshold of \$4M
- The Contracting Officer cannot set aside the acquisition for WOSB. If the dollar value were less than \$4M, it could be set aside for WOSBs.

## Example 2

- The requirement is assigned NAICS 518210, Data Processing, Hosting and Related Services, with an estimated value of \$2.8M.
  - NAICS 5182, Data Processing, Hosting, and Related Services, is an industry in which WOSBs are substantially underrepresented .
  - Dollar value of the procurement is within the statutory threshold of \$4M
- The Contracting Officer can set aside the requirement for WOSBs
- **The Contracting Officer cannot set aside the requirement for EDWOSBs;** however, since EDWOSBs are also WOSBs, they can submit an offer in response to this WOSB set aside



## ***Steps to participate in the WOSB/EDWOSB Program***

- ☐ Read the WOSB Federal Contract program in Federal Acquisition Regulations  
Part 19. 215 , 52.219.29, and 52.219-30.
- ☐ Read SBA WOSB Compliance Guide at [www.sba.gov/wosb](http://www.sba.gov/wosb)
- ☐ Register in Central Contractor Registration (CCR) as WOSB or EDWOSB
- ☐ Log onto SBA's General Login System (GLS)  
Go to the WOSB Program Repository  
Upload / categorize all required documents
- ☐ Represent status in Online Representations and Certifications Application (ORCA)







## ***For More Information***

- ☐ Visit Small Business Administration (SBA) [www.sba.gov/wosb](http://www.sba.gov/wosb)
- ☐ Contact SBA answer desk:
  - 1-800-U-ASK-SBA (1-800-827-5722)
  - Answer Desk TTY (704) 344-6640 (Spanish)
  - Email [wosb@sba.gov](mailto:wosb@sba.gov)
- ☐ Visit Local Resources
  - Small Business District Offices  
Find your local office at: <http://www.sba.gov/about-offices-list/2>
  - Women's Business Centers  
Find your local center at: <http://www.sba.gov/content/womens-business-centers>
  - Small Business Development Centers  
Find your local center at: <http://www.asbdc-us.org/>
  - Procurement Technical Assistance Centers  
Find your local center at <http://www.aptac-us.org/new/>